

From: Peter Skan
To: Microsoft ATR
Date: 1/22/02 6:25pm
Subject: Microsoft Settlement

Dear Sir,

I would like to submit the following comments on the proposed settlement of the United States v. Microsoft case.

I believe that the remedies described in the proposed final judgement are woefully inadequate, either as penalties for Microsoft's past abuse of its monopoly power, or to restrain Microsoft from similar behavior in the future.

To be more specific, the proposed settlement:

1. Does nothing to stop Microsoft illegally bundling middleware programs such as media players, browsers and instant messaging software, etc. with the operating system. As can clearly be seen in the recent release of Windows XP, Microsoft continues to extend its monopoly unabated.
2. Does not remedy the damage done to Netscape and other independent browser suppliers.
3. Does not remedy the damage done to the the Java programming language and it's users.
4. Does nothing to lower the "application barrier to entry" which was illegally protected by Microsoft.
5. Is ambiguous and contains many loopholes that are subject to Microsoft's interpretation.
6. Lacks a sufficiently strong enforcement mechanism.
7. Will do little to change Microsoft's behavior or restore competition.

In summary, the proposed final judgement is not in the interest of consumers. Much stronger remedies are required if consumer choice, competition and innovation are to be preserved and enhanced. In my view the original remedy, which specified the breakup of Microsoft, was much more in line with the magnitude of the injuries it has caused.

N.B. I am a resident of the United Kingdom, but nonetheless feel that my views should be taken into account since Microsoft's conduct has affected both companies and individuals in all parts of the world.

Yours faithfully,

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